IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 2739 of 2007()

AGAINST THE ORDER IN LPC 5/2005. IN
SC.345/1999 of ADDL. DISTRICT COURT (ADHOC), THALASSERY
CRIME NO.511/97 OF KANNUR TOWN POLICE STATION

.....

: PETITIONER:

HAJEESH @ BAVOOTTY, S/O. RAGHAVAN,
AGED 32 YEARS, EMPLOYED AT A1-JASEERA GROUP,
POST BOX NO.26087, KINGDOM OF BAHARIN.

BY ADV. SRI.M.K.SUMOD
SRI.KAUSER EDAPPAGATH

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2739 OF 2007 B

Dated this the 24th day of May, 2007

O R D E R

Petitioner, who is the accused in Crime No.511/97 of Kannur Town Police Station for an offence punishable under Sec.307 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in LPC. No.5/05 on the file of the Additional Sessions Court(Adhoc-I), Thalassery, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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